

**IN THE CLAIMS:**

All of the pending claims 1, 3-7, 10, 11, 16, and 21-25 are presented below. Claim 9 is cancelled herein. Claims 2, 8, 12-15, and 17-20 were previously cancelled. New claim 25 is presented herein. This listing of claims will replace all prior versions and listings of claims in the application. Please enter these claims as amended.

**Listing of claims:**

1. (Previously presented) An isolated adenovirus packaging cell comprising in its genome:

a first nucleic acid sequence encoding adenovirus ElA and ElB gene products but lacking a nucleic acid sequence encoding adenovirus pIX.

2. (Canceled)

3. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein said first nucleic acid sequence comprises nucleotides 459-3510 of the human adenovirus 5 genome.

4. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein the isolated adenovirus packaging cell is of a retina cell origin.

5. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein the isolated adenovirus packaging cell is of a primary cell origin.

6. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein the isolated adenovirus packaging cell is of an embryonal cell origin.

7. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein the isolated adenovirus packaging cell is a human cell.

8.-9. (Canceled)

10. (Previously presented) The isolated adenovirus packaging cell of claim 1, further comprising a nucleic acid sequence encoding an adenovirus E2A gene product.

11. (Previously presented) The isolated adenovirus packaging cell of claim 10, wherein the adenovirus E2A gene product includes a temperature sensitive 125 mutation.

12.-15. (Canceled)

16. (Previously presented) The isolated adenovirus packaging cell of claim 1, wherein the isolated adenovirus packaging cell is of human embryonic retinoblast (HER) origin.

17.-20. (Canceled)

21. (Previously presented) The isolated adenovirus packaging cell of claim 1, further comprising a recombinant expression vector derived from a human adenovirus genome, wherein said expression vector comprises an adenovirus gene encoding a pIX protein and further wherein said expression vector lacks nucleic acid sequences that overlap with said first nucleic acid sequence.

22. (Previously presented) The isolated adenovirus packaging cell of claim 10, wherein the nucleic acid sequence encoding an adenovirus E2A protein is operatively linked to an E1A-independent transcription initiation region.

23. (Previously presented) The isolated adenovirus packaging cell of claim 21, wherein the recombinant expression vector is IG.Ad.MLPI.TK shown in FIG. 12.

24. (Previously presented) The isolated adenovirus packaging cell of claim 21, wherein the recombinant expression vector is derived from a human adenovirus 5 genome from which nucleotides 459-3510 have been deleted.

25. (New) The isolated adenovirus packaging cell of claim 1, wherein the first nucleic acid sequence encodes adenovirus E1A, E1B 21 kDa and E1B 55 kDa gene products.